

**FITZPATRICK, CELLA, HARPER & SCINTO**

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**OFFICIAL****FACSIMILE COVER SHEET**

**TO:** Examiner D.E. Odland  
 USPTO - TC/Art Unit 2662

**FROM:** Lock See Yu-Jahnes (Reg. No. 38,667)

**RE:** U.S. Patent Appln. No. 09/314,927  
 Attorney Docket: 03500.013533

**FAX NO.:** 703-872-9306

**DATE:** March 8, 2004      **NO. OF PAGES:** 16  
 (including cover page)

**TIME:**      **SENT BY:**

**MESSAGE**

I hereby certify that this correspondence is being facsimile transmitted to the  
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March 8, 2004

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Lock See Yu-Jahnes (Reg. No. 38,667)  
 (Name of Attorney for Applicant)

(Signature)

March 8, 2004

(Date of Signature)

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In re Application of:

Docket No. 03500.013533

**TAKASHI KOBAYASHI ET AL.**

Application No.: 09/314,927

Examiner: D.E. Odland

Filed: May 20, 1999

TC/Art Unit: 2662

For: METHOD AND APPARATUS FOR  
 TRANSMITTING PACKETS AT A  
 TRANSFER RATE THAT DEPENDS ON  
 A RESPONSE FROM A DESTINATION  
 (as amended)

Date: March 8, 2004

Commissioner for Patents  
 Mail Stop: AF  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment in the above-identified application.

 No additional fee is required.

The fee has been calculated as shown below

CLAIMS AS AMENDED						
	(2) CLAIMS REMAINING AFTER AMENDMENT		(4) HIGHEST NO. PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	RATE	ADDITIONAL FEE
<b>TOTAL CLAIMS</b>	* 20	MINUS	** 20	= 0	x \$9 \$18	0
<b>INDEP. CLAIMS</b>	* 2	MINUS	*** 3	= 0	x \$43 \$86	0
<b>Fee for Multiple Dependent claims \$145°/\$290</b>						0
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT---</b>						0

\* If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 5.

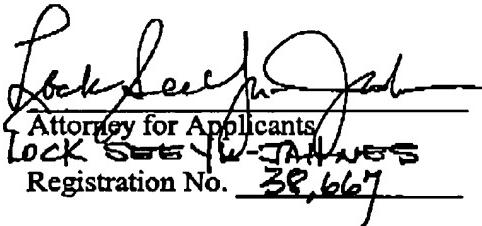
\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

 Verified Statement claiming small entity status is enclosed, if not filed previously.

- A check in the amount of \$\_\_\_\_\_ is enclosed.
- Charge \$\_\_\_\_\_ to Deposit Account No. 06-1205. A duplicate copy of this sheet is enclosed.
- Any prior general authorization to charge an issue fee under 37 C.F.R. 1.18 to Deposit Account No. 06-1205 is hereby revoked. The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. 1.16 and 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 06-1205.
- A check in the amount of \$\_\_\_\_\_ to cover the fee for a \_\_\_\_-month extension is enclosed.
- A check in the amount of \$\_\_\_\_\_ to cover the Information Disclosure Statement fee is enclosed.
- Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

  
\_\_\_\_\_  
Attorney for Applicants  
LOCK SEYUW-JANES  
Registration No. 38,667

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**RESPONSE UNDER 37 C.F.R. § 1.116  
EXPEDITED PROCEDURE  
TC/ART UNIT 2662**

03500.013533

## **PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
TAKASHI KOBAYASHI ET AL. ) : Examiner: D.E. Odland  
Application No.: 09/314,927 ) : TC/Art Unit: 2662  
Filed: May 20, 1999 ) :  
For: METHOD AND APPARATUS FOR )  
TRANSMITTING PACKETS AT A )  
TRANSFER RATE THAT DEPENDS )  
ON A RESPONSE FROM A )  
DESTINATION (as amended) ) : March 8, 2004

Commissioner for Patents  
Mail Stop: AF  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT AFTER FINAL ACTION**

Sir:

In response to the Office Action dated December 8, 2003, the Examiner is respectfully requested to amend the above-identified application as follows:

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office (Fax No. 703-872-9306) on

March 8, 2004  
Date of Transmission)

Luck See Yu-Jahnes (Reg. No. 38,667)  
(Name of Attorney for Applicants)

March 6, 2004  
(Signature)      (Date of Signature)